



Docket No. 1539.1019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yasuhiro OMURA

Serial No.: 10/079,519

Group Art Unit: 2851

Confirmation No.: 6694

Filed: February 22, 2002

Examiner: Hung Nguyen

For: PROJECTION OPTICAL SYSTEM, PROJECTION EXPOSURE APPARATUS, AND PROJECTION EXPOSURE METHOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided reasons for allowance of claims 1-9 and 29 in item 8 on pages 4 and 5 of the Office Action mailed March 6, 2003. While the Examiner's comments appear to be at least generally applicable to independent claim 1, all of the identified language is not found in independent claims 9 and 29. For example, the Examiner specified a first refractive member made of a first fluoride substance and a second refractive member made of a second fluoride substance. However, claims 9 and 29 do not recite these features.

As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is respectfully submitted that the Examiner's Statement does not meet these standards and, instead, raises "possible misinterpretations ... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded.

It is further submitted that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9/30/03

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